Docketing & T. John se mag check + microfilming

DESCRIPTION

Beginning on the southwest side of Reisterstown Road approximately 619 feet northwest of Caraway Road and running the following courses and distances:

N 44° 20' 36" W 76.56' thence S 46° 06' 55" W 209.60' thence S 34° 20' 07" E 79.50' thence N 45° 39' 24" E 223.40' to the place of

Also known as 716 Main Street (Reisterstown Road)

IN RE: PETITION SPECIAL HEARING SW/S of Reisterstown Road, 619' NW of Caraway Road -4th Election District

ZONING COMMISSIONER OF BALTIMORE COUNTY SLC No. 3, Inc., Case No. 84-146-SPH

Randall Book Corporation, Petitioner

Legal Owner

* * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW

Upon consideration of the status of is matter, it being three years since the last action was taken, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of December, 1986, that the instant matter be DISMISSED without prejudice, with all costs related thereto being assessed to Randall Book Corporation.

cc: Jeffrey H. Gray, Esquire Randall Book Corporation People's Counsel

IN THE MATTER OF

HEARING

ARNOLD JABLON ZONING COMMISSIONER

Randall Book Corporation 716 Main Street Reisterstown, Maryland 21136

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353

RE: Case No. 84-146-SPH SLC No. 3, Inc., Legal Owner Randall Book Corporation, Petitioner

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

To Whom It May Concern:

On December 6, 1983, the Deputy Zoning Commissioner granted a stay in the above-referenced matter, pending a decision by the Circuit Court in an apparent related action. This office has not heard anything from you to reschedule since that stay was granted.

December 24, 1986

This matter, therefore, will be dismissed without prejudice. Attached hereto, you will find the appropriate Order.

Zoning Commissioner

AJ/srl

Attachment

cc: Jeffrey H. Gray, Esquire

Baltimore County Zoning Commission

PETITION FOR SPECIAL Case : 84-146-SPH RANDALL BOOK CORP.

MOTION TO STAY HEARING

Now comes the Complainant, Jeffrey H. Gray, and in support of his motion to stay hearing respectfully represents unto your Honor:

1. That on April 5, 1982 a Complaint was filed by the undersigned with the Office of the Zoning Commissioner for Baltimore County concerning alleged zoning violations at 716 Main Street, Reisterstown, Md. 21136, C-82-626, 82-31-V.

2. That as a result of said complaint, an investigation was made by the Zoning Enforcement Section from which it was determined that a violation did in fact exist; to wit, the operation of peep shows in B-L zoning was determined to be a non-permitted use.

3. That a hearing was held on October 8, 1982, before Commissioner William E. Hammond, from which an opinion was issued on December 15, 1982 confirming the existing violations as non-permitted uses.

4. That from that hearing the Petitioner/Defendant appealed. 5. That on April 27, 1983 the Board of Appeals of Baltimore County

ordered dismissal of the Appeal conditioned on the Petitioner/ Defendant's filing of a Petiton for Special Hearing on the Issues presented in the

6. That the undersigned appealed from the Order and that matter is currently pending before the Circuit Court for Baltimore County, 83 M 216.

7. That the issues currently on appeal and before the Circuit Court for Baltimore County are the Same issues that are presented in the Petition for Special Hearing currently before the Zoning Commission.

8. That the issues may be rendered moot by the ruling of the Circuit Court on the pending appeal.

9. That to proceed on the Special Hearing at this time would be an unnecessary expenditure of the Commission's time, and duplicitous.

10. That the Special Hearing should be stayed pending the outcome of the appeal currently pending before the Circuit Court for Baltimore

WHEREFORE, it is prayed:

A. That the Zoning Commissioner stay further proceedings with regard to the instant case pending the outcome of the Appeal currently pending before the Circuit Court for Baltimore County.

B. That the Commissioner grant such other and further relief as the cause may require.

CERTIFICATE OF MAILING

I hereby certify that a copy of the aforegoing Motion to Stay

PETITION FOR SPECIAL HEARING 84-146.5PH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, "gal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

whether an establishment that sells books, gifts and novelty items should be

considered an entertainment leisure or recreation oriented use (Sec. 122(a)(18) and as such allowed four (4) amusement devices and whether machines that show films should be considered amusement devices and whether the property constitutes Property is to be posted and advertised as prescribed by Zoming Regulations, a nonconforming use.

Legal Owner(s);

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

EKKNAK POYNKAPYK Petitioner:

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

| Randall Book Corporation | SLC No. 3, Inc. | DECTION |
|---|---|------------------|
| (Type or Print Name) | (Type or Drint Name) | 0/31∉2T.
0×15 |
| Signature | Signature Sylvan Cornblatt, Preside | ent IVA |
| 716 Main Street | | HEAR! G |
| Address | (Type or Print Name) | FINAL - |
| Reisterstown, Maryland | | 97, |
| City and State | Signature | |
| Attorney for Petitioner: | | * |
| Charles J. Harrison | 1004 Reisterstown Road 484-59 | S yes NW |
| (Type or Print Name) | Address Phone No | 1 P |
| Mailes Staring | baltimore, Maryland 21208 | E. D. 4 |
| Signature / Maryland National Bank Building | City and State | DATE 2-4 |
| | Name, address and phone number of legal owner,
tract purchaser or representative to be contacted | doc 1) |
| Baltimore, Maryland 21208 | Charles J. Harrison, Esquire | 1000 |
| City and State | Name 1414 Reisterstown Road | DP |
| Attorney's Telephone No.: 484-5355 | Baltimore, Maryland 21208 484-5 | 355 |
| | Address Dhone No. | |

ORDERED By The Zoning Commissioner of Baltimore County, this _____lst___day November 19_83, that the subject matter of this petition be advertised, as /required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of December 19.83, at 11:00 o'clock

POINTS AND AUTHORITIES

Md. Rule 321.

All that parcel of land in the Fourth District of Baltimore County Being the property of SLC No. 3, Inc., as shown on plat plan filed with the Zoning Department. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY SPAPERS OF MARYLAND, INC.

SPAPERS OF MARYLAND, INC.

er, Md., ...Nov...17,1983...

e annexed ...Req...#L54579.P...0. 50070 successive weeks/days previous SUCCESSIVE WEEKS/days previous ember....., in the les, a daily newspaper published atminster, Carroll County, Maryland. Id. a weekly newspaper published dersburg, Carroll County, Maryland. a weekly newspaper published stown, Baltimore County, Maryland. Stown, Baltimore County, Maryland. VSPAPERS OF MARYLAND, INC. Complete (Barrison, Secular) Baltipas, Maryland, 21804 BALTIMORE COUNTY OFFICE OF PLANNING A ZONING County Office Buildings
111.W. Chesapeake Avenue
Towson, Maryland 21204

Your Stition has been received and accepted for filing this
let day of Movember 1983, BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION Micholas B. Commodari Chairman, Zoning Plans Advisory Committee Pet loner BLO Set | Inc

PETITION FOR SPECIAL HEARING

Tuesday, December 6, 1983 at 11:00 A.M.

Southwest side of Reisterstown Road, 619 ft. Northwest

4th Election District

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

Petition for Special Hearing under Section 500.7 of the Baltimore

County Zoning Regulations, to determine whether or not the Zoning

Commissioner and/or Deputy Zoning Commissioner should approve

should be considered an entertainment, leisure or recreation oriented

and whether machines that show films should be considered amusement

use (Section 422(a)(18) and as such, allowed four amusement devices

whether an establishment that sells books, gifts and novelty items

devices and whether the property constitutes a nonconforming use

Avenue, Towson, Maryland

Petition for Special Hearing

of Caraway Road

and Regulations of Baltimore County, will hold a public hearing:

ZONING:

LOCATION:

DATE & TIME:

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER SW/S Reisterstown Rd., 619' NW of Caraway Rd., 4th District OF BALTIMORE COUNTY SLC NO. 3, INC., Petitioner : Case No. 84-146-SPH BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204 ::::::: ORDER TO EN TR APPEARANCE Mr. Commissioner: ARNOLD JABLON ZONING COMMISSIONER Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify Charles J. Harrison, Esquire me of any hearing date or dates which may be now or hereafter designated therefor, 1414 Reisterstown Road Maryland National Bank Building and of the passage of any preliminary or final Order in connection therewith. Baltimore, Maryland 21208 Peter Max Zummenman John Workingth John W. Hessian, III Peter Max Zimmerman Deputy People's Counsel People's Counsel for Baltimore County Rm. 223, Court House Towson, MD 21204 Dear Mr. Harrison: 494-2188 I HEREBY CERTIFY that on this 18th day of November, 1983, a copy of the foregoing Order was mailed to Charles J. Harrison, Esquire, Maryland National Bank Bldg., 1414 Reisterstown Rd., Baltimore, MD 21208, Attorney for Petitioner. Towson, Maryland 21204, before the hearing. blen 70. Hossian III No. 126858 BALTIMORE COUNTY, MARYLAND OFFICE OF HINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 2/13/84 ACCOUNT R-01-615-000 PROM: Charles J. Harrison, Esquire FOR: Advertising & Posting Case # 84-146-SPH (SLC No. 3, Inc.) 6 DB4++++76751b 8144A Novem 8, 1983 INTER-OFFICE CORRESPONDENCE Charles J. Harrison, Esquire 1414 Relateratown Road Arnold Jablon Maryland National Bank Building November 15, 1983 Zoning Commissioner Baltimore, Maryland 21208 Norman E. Gerber, Director NOTICE OF HEARING Office of Planning and Zoning Re: Petition for Special Hearing SLC No. 3, Inc. SW/S of Relateratown Rd., 619' NW 84-146-SpH of Caraway Rd. SLC No. 3, Inc. - Petitioner Case No. 84-146-SPH There are no comprehensive planning factors requiring comment on TIME: 11:00 A.M. DATE: Tuesday, December 6, 1983 PLACE: Room 106, County Office Building, 111 West Chesapeake Norman E. Gerber
Director of Planning and Zoning Avenue, Towson, Maryland ec: Randall Book Corporation NEG:JGH:cav 716 Main Street Reisterstown, Maryland 21136

Zoning Compussioner

No. 117387

CELLANEOUS CASH RECEIPT

8 UZ5 --- 1000016 8025A

November 22, 1983 Re: Petition for Special Hearing SW/S Releterstown Rd., 619' NW of Caraway Rd. SLC No. 3, Inc. - Petitioner Case No. 84-146-SPH This is to advise you that \$76.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, ARNOLD JABLON ng Commissioner BALTIMORE COUNTY, MARYLAND

84-146-SPH Date of Posting 11-17-83 Posted for: SLC NO.3, INC Location of property: SW/S of Reinsternstown Proch 619' WW. of.

Corrawry Read

Location of Signs: SW/S of Rustinstown Read we post of suffect. property

CERTIFICATE OF POSTING

SONING: Petition for Special H ing
LOCATION: Southwest side of Relaterstown Road, 619 ft. Horthwast
of Careway Road
DATE & TIME: Tuesday, Desember
6, 1906 at 11 W A M. 19_83_ and running the following operate and distances:

N 44" 30" 30" W 70.50" thence

8 64" 30" 70" H 79.50" thence

8 34" 30" 70" H 79.50" thence

8 34" 30" 70" H 79.50" thence d beginning.
Also known as 714 Main Street (Reinterstown Road)

Being the property of SLC No. 8
Inc. as shown as plat plan files
with the Zeeing Department.
In the event that this Potition is

TOWSON, MD., ______ November 17___, 1983___ THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time ____ accessive ourseless before the __6th___ day of ______ December___, 19_83__, the mask publication appearing on the 17th day of ______November___

L. Leank Structur

Reisterstown-Owings Mills-Glyndon Coordinating Council

December 6, 1983

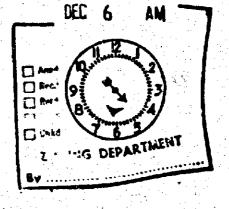
Mrs. Jean M. H. Gung Deputy Zoning Commission
Zoning Commission of Baltimore County

Dear Mrs. Gung:

The Reisterstown-Owings Mills Glyndon Coordinating Council opposes SIC No. 3 Incorporated being considered an entertainment leisure or recreation oriented use.

On December 5, 1983 R.O.G. passed the following motion, "We officially take the position of being against the Book Store being allowed to have zoning which permits peep shows." This vote passed with no opposition at all. R.O.G. is an umbrella organization whose membership is composed of business, civic, political, church, and PTA groups in the Reisterstown, Owings Mills, Glyndon Avenue.

Thank you for your consideration in noting our strong opposition.



Edward A. Eshmont 1st Vice-President Reisterstown, Owings Hills, Glyndon Coordinating Council

PO.Box 117 Reisterstown, Maryland 21136

84-146.5PH

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 28, 1983

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Nicholas B. Commodari

Chairman

MEMBERS Bureau of Engineering

Department of Traffic Engineering State Roads Commission

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial Development

Charles J. Harrison, Esquire Maryland National Bank Building 1414 Reisterstown Road Baltimore, Maryland 21208

> RE: Case No. 84-146-SPH (Item No. 259) Petitioner - SLC No. 3, Inc. Special Hearing Petition

Dear Mr. Harrison:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

As you are aware, this hearing originates as a result of a recent violation hearing (83-31-V), which has been appealed to the Circuit Court. In addition to the questions that precipitated this hearing (i.e. whether machines showing films are amusement devices and whether a book store is considered an entertanment, leisure or recreation oriented use), the location of the zoning line, traversing the property is also in question. Therefore, we added the nonconforming use question to this petition.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing secheduled accordingly.

Seholas B. Commalai / m 10

NICHOLAS B. COMMODARI Zoning Advisory Committee

NBC:mch

Enclosures

FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE CHIEF

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: SLC No. 3, Incorporated

Location: SW/S Reisterstown Road 619' N/W Carraway Road

Item No.: 259

Gentlemen:

Zaning Agenda: Meeting of June 14, 1983

September 15, 1983

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at ___

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 1. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Cott Joy Kelly 9-19-17 Approved: Slorge M Welgano Planning Group Fire Prevention Bureau

Special Inspection Division

BALTIOORE COUNTY, MARYLA

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO Office of Planning & Zoning Date___July 22, 1983

FROM Ian J. Forrest

SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning items, and does not anticipate any health hazards at this time.

Item #251 - Henry P. & Louise H. Goetz

Item #252 - Arthur J. & Carol L. Griffin, Jr.

Item #253 - Marbury B. Fox, Jr.

Item #256 - Elisa V. Landriel, et al

Item #257 - Howard B. Fisher, et ux

Item #258 - Shopping Center Associates

- S L C No. 3, Incorporated

Item #260 - John B. & Norma G. King, Jr.

Item #261 - Robert L. & Vivian Lynch

Item #262 - Ann Howell

Item #264 - Frances C. & Patty A. Principate

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: June 13, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: June 14, 1983

RE: Item No: 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268 Property Owner Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no effect on student population.

Very truly your W. W. Nick Petrovich, Assistant Department of Planning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nicholas Commodari TO Zoning Department Charles Burnham
Plans Review Chief C. E. B. Zoning Advisory Committee

SUBJECT Mesting of June 14, 1983

Date____June_21, 1983

Item #258 See Comments Item #259 No Plats Item #260 See Comments Item #261 See Comments Item #262 No Comments Item #263 See Comments Item #264 See Comments Item #265 See Comments Item #266 See Comments Item #267 See Comments Item #268 Standard Comments

dj1

Charles J. Harrison

Attorney at Law Maryland National Bank Building 1414 Reisterstown Road Baltimore, Maryland 21208 (301) 484-5355

July 15, 1983

Mr. Nicholas B. Commodari Office of Planning and Zoning County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

> Re: Petition for Special Hearing Randall Book Corp., et al.

Dear Mr. Commodari:

Initially, I enclose herein, per your request, the plat relative to the above captioned matter, same showing the existing zoning.

My file reflects that I gave you the Petition for Special Hearing on June 2, 1983 at which time we mutually agreed that you were going to put certain interlineations on same and would then send to me a copy of said Petition in its final form; however, as of this date I have not received from you the copy pursuant to our arrangements and would appreciate your forwarding same to me.

Thanking you for your cooperation and courtesy in this matter, I am

CJH: ksl

Enclosure

